S.B.Cr.Misc. II Bail App. No. 4120/2007

(Ashok Rathi & Anr. Vs. State of Rajasthan)

Date of order : 24/08/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Vijay Purohit for the petitioners.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioners that earlier the bail application was dismissed while the matter was under investigation, however, now after investigation, the police has filed challan and the offences are triable by Court of Judicial Magistrate being offences under Sections 420 and 406 IPC.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this second bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Ashok Rathi S/o Omji Rathi and Prabhu Das S/o Chandra Dasji be released on bail in FIR No. 09/2007 P.S. Nosra, district Jalore provided each of them

executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP